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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GUILLERMO TRUJILLO CRUZ,

Plaintiff,

v.

B. SMITH, *et al.*,

Defendants.

Case No. 2:18-cv-00693-RFB-VCF

ORDER

I.DISCUSSION

On April 16, 2018, Plaintiff, who is a prisoner in the custody of Kern Valley State Prison, filed an application to proceed *in forma pauperis* and submitted an affidavit with exhibits. (ECF No. 1, 1-1). Plaintiff did not file a complaint in this matter.

On April 19, 2018, the Court ordered Plaintiff to submit a complaint to the Court within thirty days and warned him that the failure to timely comply with that order might result in the dismissal of this case. (ECF No. 2 at 2). The thirty-day period has expired and Plaintiff has not filed a complaint.

Pursuant to Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. Because Plaintiff still has not filed a complaint in this matter, the Court dismisses this case without prejudice and denies the application to proceed *in forma pauperis* as moot.

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IT IS FURTHER ORDERED that the case is dismissed without prejudice.

DATED this 31st day of May, 2018.

RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE